

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Georg PLETZER ET AL-1 PCT

SERIAL NO.: 10/049,925 GROUP: 3673

FILED: July 26, 2002

FOR: METHOD AND CONSTRUCTION MACHINE FOR PRODUCING
GROUND SURFACES

PETITION

Mail Stop PCT LEGAL ADMINISTRATION
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

On August 12, 2004, applicants sent a Status Inquiry to the US PTO. Thereupon, the undersigned received a communication from the PCT Legal Office, informing him that a Notification requesting translation of a drawing page was mailed on March 23, 2004. A copy of the Notification was faxed to the undersigned on September 17, 2004. The undersigned states that no such Notification was ever received before the faxed copy of Sept. 17, 2004. A copy of the print-out of the Pair Page, showing no indication of the missing drawing translation, is also attached. Therefore, no extension fee should be charged for mailing the translated drawing only now (see separate letter). However, if there should be such a fee, please charge deposit account 03-2468.

Respectfully submitted,

GEORG PLETZER ET AL

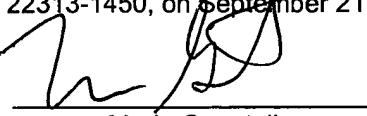
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Enclosure: PAIR page

Copy of Notification dated March 23, 2004, received
by Fax on September 17, 2004
Letter submitting translated Fig. 4

EXP. # EL 992 013 237 45 *EXPRESS*
I hereby certify that this correspondence is being deposited with the United States Postal Service as ~~first~~
~~class~~ mail in an envelope addressed to: MAIL STOP PCT Legal Administration, Commissioner for
Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on September 21, 2004.

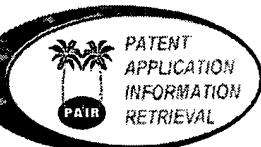

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Search results as of: 9-17-2004::10:32:14 E.T.

Search results for application number:10/049,925			
Application Number:	10/049,925	Customer Number:	25889
Filing or 371(c) Date:	07-26-2002	Status:	Application Dispatched from Preexam, Not Yet Docketed
Application Type:	Utility	Status Date:	12-03-2002
Examiner Name:	-	Location:	PCT LEGAL DEPARTMENT -- CP2
Group Art Unit:	3673	Location Date:	09-17-2004
Confirmation Number:	9284	Earliest Publication No:	-
Attorney Docket Number:	PLETZER ET AL-1 (PCT)	Earliest Publication Date:	-
Class/ Sub-Class:	--	Patent Number:	-
First Named Inventor:	Georg Pletzer, Berlin, (DE)	Issue Date of Patent:	-
Title Of Invention:	Method and construction machine for producing ground surfaces		

Select Search Option

Assignments
 Foreign Priority
 Publication Review

File History	
Date	Contents Description
12-03-2002	Application Dispatched from OIPE
11-29-2002	IFW Scan & PACR Auto Security Review
11-25-2002	Notice of DO/EO Acceptance Mailed
02-20-2002	Additional Application Filing Fees
07-26-2002	A statement by one or more inventors satisfying the requirement under 35 USC 115, Oath of the Applic
05-29-2002	Notice of DO/EO Missing Requirements Mailed
02-20-2002	Initial Exam Team nn

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23 MAR 2004

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In re Application of
Georg PLETZER et al.
Application No.: 10/049,925 : NOTIFICATION
PCT No.: PCT/EP00/06660 :
International Filing Date: 13 July 2000 :
Priority Date: 21 August 1999 :
For: METHOD AND CONSTRUCTION
MACHINE FOR PRODUCING GROUND
SURFACES :
:

This application is before the PCT Legal Office for matters pertaining to 35 U.S.C. 371.

BACKGROUND

On 13 July 2000, applicants filed international application PCT/EP00/06660 claiming priority to an earlier application filed 21 August 1999. A copy of the international application was timely communicated to the United States Patent and Trademark Office by the International Bureau. A DEMAND for international preliminary examination, in which the United States was elected, was filed on 22 February 2001. Accordingly, the thirty month period for paying the basic national fee in the United States of America expired at midnight on 21 February 2002.

On 20 February 2002, applicants filed a Transmittal Letter (Form PTO-1390) for entry into the national stage in the United States under 35 U.S.C. 371, accompanied by, *inter alia*, the required basic national fee, a copy of the international application, and an English language translation of the international application.

On 29 May 2002, the United States Designated/Elected Office (DO/EO/US) mailed a NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) (Form PCT/DO/EO/905) indicating that an oath or declaration under 37 CFR 1.497(a) and (b) and the surcharge under 37 CFR 1.492(e) were required.

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On 26 July 2002, applicants filed an executed declaration and the required surcharge.

On 25 November 2002, the DO/EO/US mailed a NOTIFICATION OF ACCEPTANCE OF APPLICATION UNDER 35 U.S.C. 371 AND 37 CFR 1.494 AND 1.495 (Form PCT/DO/EO/903) indicating a date under 35 U.S.C. 371 of 26 July 2002.

DISCUSSION

A review of the application reveals that the translation of the international application is defective. Specifically, the applicants have not provided a translation of the entire international application as filed because Figure 4 contains non-English text (see reference numeral 34).

CONCLUSION

For the reasons stated above, the NOTIFICATION OF ACCEPTANCE OF APPLICATION UNDER 35 U.S.C. 371 AND 37 CFR 1.494 AND 1.495 (Form PCT/DO/EO/903) mailed on 25 November 2002 is hereby VACATED.

Applicants are hereby afforded TWO (2) MONTHS from the mailing date of this Notification to submit a complete translation on the international application. Extensions of time may be obtained under 37 CFR 1.136(a).

Any further correspondence with respect to this matter should be addressed to Mail Stop PCT, Commissioner for Patents, Office of PCT Legal Administration, P.O. Box 1450, Alexandria, Virginia 22313-1450, with the contents of the letter marked to the attention of the Office of PCT Legal Administration.


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